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Robert Moll

Robert Moll, Registration No. 33,741

U.S. PATENT AND TRADEMARK OFFICE

In re Application of: David Alan Burton et al.
Title: Data Replication in Data Storage Systems
Application No. 10/696,327
Filing Date: October 28, 2003

Examiner: Shahid Al Alam
Art Unit: 2162
Attorney Docket No. Pillar 715

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner Alam:

This information disclosure statement (IDS) is filed under 37 CFR 1.97:

☐ (b)(1) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);

☐ (b)(2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;

☒ (b)(3) Before the mailing of a first Office action on the merits; or

☐ (b)(4) Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

___ (c) After the period specified in paragraph (b) of this section before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and accompanied by one of:

___ (1) The statement specified in paragraph (e) of this section; or

___ (2) The fee set forth in § 1.17(p).

___ (d) After the period specified in paragraph (c) of this section on or before payment of the issue fee and accompanied by:

___ (1) The statement specified in paragraph (e) of this section; and

___ (2) The fee set forth in § 1.17(p).

___ (e) I state under this section either:

___ (1) That each item of information contained in the IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or

___ (2) That no item of information contained in the IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in § 1.56(c) more than three months before filing of the IDS.

This IDS is filed under 37 CFR 1.98:

☒ Applicant(s) submit PTO/SB/08A form(s) and/or PTO/SB/08B form(s).

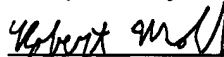
☐ Applicant(s) submit copies of patents, publications, and/or other information in a PTO/SB/08A form labeled 1 of 1 for consideration by the Office.

☐ Applicant(s) list patents, publications or other information in PTO/SB/08A form(s) and/or PTO/SB/08B form(s) labeled ___ of ___ through ___ of ___ for consideration by the Office but provide no copies as permitted by § 1.98(d), because copies were filed in earlier US Application Nos. _____ relied on for earlier effective filing dates under 35 USC 120.

Applicant(s) understand under 1.97(f) no extensions of time for filing an IDS are permitted § 1.136 but if a bona fide attempt is made to comply with § 1.98, and part of the required content is inadvertently omitted, additional time may be given for compliance, under 1.97(g) filing of an IDS is not a representation a search was made, and under 1.97(h) filing of an IDS is not an admission the information in the IDS is considered to be material to patentability as defined in § 1.56(b).

Please email reply if you have a question, comment or it will expedite prosecution.

Respectfully submitted,



Robert Moll

Reg. No. 33,741

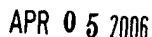
1173 St. Charles Court

Los Altos, CA 94024

Tel: 650-567-9153

Fax: 650-567-9183

Email: rgmoll@patentplanet.com



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Complete if Known

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|------------------------|-------------------|
| Application Number | 10/696,327 |
| Filing Date | 10/28/2003 |
| First Named Inventor | David Alan Burton |
| Art Unit | 2162 |
| Examiner Name | Shahid Al Alam |
| Attorney Docket Number | Pillar 715 |

U. S. PATENT DOCUMENTS

[illegible]

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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